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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/073,286 | 02/13/2002 | Francois Delaney | 06749-001-US-02 | 3484 |

7590 02/20/2003

BROUILLETTE KOSIE
25th Floor
1100 Rene-Levesque Boulevard West
Montreal, QC H3B 5C9
CANADA

EXAMINER

BRAHAN, THOMAS J

ART UNIT

PAPER NUMBER

3652

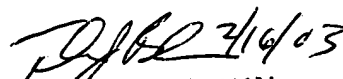
DATE MAILED: 02/20/2003

Please find below and/or attached an Office communication concerning this application or proceeding.



1. The reply filed on January 13, 2003 is not fully responsive to the prior Office Action because the applicant did not elect a single species for examination based upon the three species listed the previous office action, i.e. a first species with air as the displacement means (claims 16-19), a second species with liquid as the displacement means (claims 20-23), and a third species with a granular displacement means (claims 24-33). The use of a dictionary definition to combine two species does not negate the restriction requirement or combine the first and second species. The election must be from the list as set forth in the previous office action and must include a listing of the claims applicant believes is readable on the elected species. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

2. An inquiry concerning this action should be directed to Examiner Thomas J. Brahan at telephone number (703) 308-2568 on Mondays through Fridays from 9:30-7:00 EST. The examiner's supervisor, Ms. Eileen Lillis, can be reached at (703) 308-3248. The fax number for Technology Center 3600 is (703) 305-7687.


THOMAS J. BRAHAN
PRIMARY EXAMINER